

Water Quality Standards Advisory Committee

MEETING MINUTES

Thursday, February 10, 2011 1:30 pm – 3:30 pm

Department of Environmental Services

Rooms 112/113/114

29 Hazen Drive, Concord, NH

WQSAC Members Present

Name	Representing	Present	Alternate Present
Dan Blais	Home Builders and Remodelers' Association of NH	Y	
Steve Clifton	Consulting Engineers of NH		
Sam Demeritt	NH Wildlife Federation	Y	
Steve Densberger	Water Council		
Diane Hanley	NH Association of Conservation Commissions and Lakes Management Advisory Committee	Y	
Donna Hanscom	NH Water Pollution Control Association	Y	
John Hodsdon	NH Farm Bureau Federation	Y	
Melissa Hoffer	Conservation Law Foundation		
Kenneth Kimball	Appalachian Mountain Club		
Tracy LaChance	Business and Industry Association	Y	
John Magee	NH Fish & Game Department	Y	
William McDowell	University of New Hampshire		
Mike Metcalf	NH Water Works Association	Y	
Eileen Miller	NH Association of Conservation Districts	Y	
Larry Morse	NH Association of Natural Resource Scientists	Y	
Allan Palmer	Rivers Management Advisory Committee		
Kenneth Rhodes	Associated General Contractors of NH	Y	
Peter Rice	NH Municipal Association		
Dari Sassan	Office of State Planning		
William Schroeder	NH Lakes Association	Y	
Jasen Stock	NH Timberland Owners Association	Y	
Ken Toppin	US Geological Survey		
Michele Tremblay	NH Rivers Council		
John Warner	US Fish & Wildlife Service		
Ellen Weitzler	EPA Region I	Y	

Additional Meeting Attendees

Jim Fitch (Woodard & Curran)
Jason Smith (NH Fish and Game)
Neil Cheseldine (Wright/Pierce)
Philip Trowbridge (DES)
Paul Currier (DES)

Lisa Fortier (DES)
Shane Csiki (NHGS)
Ken Edwardson (DES)
Jacquie Colburn (DES)
Brandon Kernen (DES)

1) Introductions

The meeting began with a round of introductions.

2) Approval of the 12/9/2011 Meeting Minutes

Bill Schroeder asked for an approval of the minutes of the 12/9/10 meeting, not including the appendix prepared by DES staff with answers to questions raised at the meeting. A motion to approve the minutes was made by Diane Hanley and seconded by Mike Metcalf. The motion passed without opposition. Ellen Weitzler abstained.

Phil Trowbridge reviewed the information in the appendix to the minutes. DES compiled this information in response to questions that the committee had on the rulemaking proposal for Env-Wq 1708. DES agreed to follow-up on one question: How would DES and EPA handle antidegradation reviews for interstate waters?

3) Report from the Classification Subcommittee

Mike Metcalf and Larry Morse summarized the status report from the Classification Subcommittee. A status report from subcommittee was distributed as a handout.

Some members advocated for a more comprehensive list of designated uses. The designated uses should cover everything that “we use the waters for”. The point is to use the water quality standards as a planning tool for development. If the list of designated uses does not cover all activities, then land use and permitting decisions will not necessarily be consistent with the classification system. Additional designated uses that were proposed were water withdrawals, wastewater discharge, stormwater discharge, cooling water, and mixing zones.

The group discussed the complications with this approach. Waste assimilation is specifically prohibited as a designated use by the Clean Water Act. Current law prevents mixing zones unless specifically approved by DES. Withdrawals for consumptive use (irrigation, snowmaking, etc.) are a “use” of the water but not a “designated use” because they are not dependent on the water quality. Withdrawals are regulated so that they do not interfere with other designated uses.

The subcommittee proposed “Existing public water supply” as a new designated use. The idea was that there would be a higher level of protection for these waters. There was a question about the level of treatment that should be expected for public water supplies. Having a designated use for water supply is similar to the old Class A system. There was some discussion about whether land use in the watersheds for a public water supply could be regulated as a result of the designated use.

Aesthetics was not proposed as a designated use by the subcommittee but some members thought it was important. Most people derive more enjoyment from waters by their aesthetics than any other designated use (e.g., swimming, boating, etc.).

4) Triennial Review of Water Quality Standards

Phil Trowbridge summarized the process and intent for the 2011 triennial review of water quality standards. This information was distributed as a handout. The hearings for the rulemaking proposal and the triennial review will be held during the next WQSAC meeting on April 14, 2011. The committee suggested that a larger room may be needed for the hearings. DES will check on the availability of the auditorium.

5) Presentation on Designated Uses and the Clean Water Act

Ellen Weitzler from EPA gave a presentation on the requirements of the Clean Water Act and federal regulations related to designated uses. This presentation will be posted on the WQSAC website.

6) Adjourn

The meeting was adjourned at 3:30 pm